

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2021-141-T - ORDER NO. 2022-303

MAY 20, 2022

IN	Application of Dad Bod Moving LLC for	)	ORDER APPROVING
RE:	Class E Household Goods Certificate	)	TARIFF AMENDMENTS
	of Public Convenience and Necessity for	)	AND GRANTING
	Operation of a Motor Vehicle Carrier	)	EXTENSION OF TIME,
		)	NUNC PRO TUNC

**I. INTRODUCTION**

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Application and motion of Dad Bod Moving LLC (“Dad Bod”). Dad Bod seeks approval of certain increases in hourly rates, its mileage rate, and for an extension of time *nunc pro tunc* to come into compliance with Commission rules and regulations.

**II. FACTS AND PROCEDURAL HISTORY**

Dad Bod was granted authority on September 17, 2021, to operate under a Class E Household Goods Certificate of Public Convenience and Necessity to transport household goods on a statewide basis, contingent upon coming into compliance with Commission rules and regulations. *See* Order No. 2021-602, Docket No. 2021-141-T.

On March 17, 2022, Dad Bod filed a request for a tariff amendment to increase its hourly rate fees by \$10 and to increase its mileage fee from \$1.75 to \$2.00 per mile, citing inflation and fuel costs as reasons for needing to increase its tariff. At that time, it was discovered that Dad Bod failed to file certain forms with the South Carolina Office of

Regulatory Staff (“ORS”). Specifically, Form E and Form H were not filed, both of which must be filed with the ORS prior to receiving the Class E Certificate and performing regulated moving services in South Carolina.

Upon discovery of this deficiency, Dad Bod asserted by letter dated April 18, 2022, that it would take all steps to have the required forms filed with ORS. This same filing also made clear that the underlying insurance policies – which are the subject of the Forms E and H – have been in place. The error, as Dad Bod explained, is a clerical one that simply caused the forms to not be filed.

ORS filed a letter on April 20, 2022 which indicated that ORS specifically does not oppose the request of Dad Bod for the extension of time to come into compliance with Commission rules and regulations. ORS also indicated that it was in receipt of Dad Bod’s Form E and H, and that if the Commission were inclined to grant the request, ORS would be prepared to issue Dad Bod its Class E Certificate.

### **III. LAW**

The Commission is specifically authorized to regulate carriers of household goods, and to set their rates and charges: “[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal.” S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: “[t]he commission shall regulate every motor carrier in this State and fix or approve the rates, fares, charges, classifications, and

regulations pertaining to each motor carrier . . . . The rates once established remain in effect until such time when the commission determines the rates are unreasonable.” S. C. Code Ann § 58-23-1010 (2015).

The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.

As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

S.C. Code Ann. Regs. 103-191 (2012).

“Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N . . . shall be just and reasonable.” S.C. Code Ann. Regs. 103-192. Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge . . . a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198 (2012).

Every motor carrier of property operating under a Certificate of PC&N and FWA shall provide safe and adequate service, equipment, and facilities for the transportation of property, and shall establish, observe, and enforce just and reasonable regulations and practices relating thereto and to the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property.

S.C. Code Ann. Regs. 103-195 (2012).

In the exercise of its power to prescribe just and reasonable rates for the transportation of passengers or property by common carriers operating under a Certificate of PC&N, the Commission may give due consideration, among other factors, to the need in the public interest of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service and to the need of such carriers for revenues sufficient to enable them, under economical and efficient management, to provide such service.

S.C. Code Ann. Regs. 103-194 (2012).

#### **IV. DISCUSSION**

In the present case, Dad Bod requests approval of an increase in hourly rates and its mileage rate. The rates are not discriminatory, and the tariff changes are reasonable. The reasons cited by Dad Bod to request an increase in tariff rates, inflation and fuel costs, are reasonable. Dad Bod provided sufficient information to justify its request. Accordingly, the request of Dad Bod to increase hourly rates and mileage rates should be approved.

Further, Dad Bod requests an extension of time, *nunc pro tunc*, to come into compliance with Commission rules and regulations as required by Order No. 2021-601. This extension of time does not prejudice any party, and ORS does not object to the request.

#### **V. FINDINGS OF FACT**

1. Dad Bod proposes amendments to its tariff with regard to an increase in hourly rates and mileage rates.

2. The amendments to the tariff of Dad Bod would result in an increase of \$10 per hour for its hourly rate fees and would raise the mileage rate from \$1.75 per hour to \$2.00 per mile.

3. Dad Bod has requested an extension of time, *nunc pro tunc*, to come into compliance with Commission rules and regulations as specified in Order No. 2021-601.

4. ORS does not oppose Dad Bod's request for an extension of time.

5. ORS is now in receipt of the required Forms – Form E and Form H.

## **VI. CONCLUSIONS OF LAW**

1. The amendments to the hourly rates and certain other tariff changes are just and reasonable and non-discriminatory. S.C. Code Ann. § 58-23-1010 (2015) and S.C. Code Ann. Regs. 103-192 (2012).

2. Dad Bod's request for an extension of time would not unduly prejudice any party and is not subject to any objection from any party.

## **VII. ORDERING PROVISIONS**

### **IT IS THEREFORE ORDERED THAT:**

1. The request of Dad Bod Moving LLC to amend its tariff is granted.

2. The specific changes to its tariff requested by Dad Bod Moving LLC are approved, resulting in an increase of \$10 for hourly moving rates and increasing the mileage rate to \$2.00 per mile.

3. Dad Bod Moving LLC shall provide the Commission with a final amended tariff in proper format, incorporating the amendments adjusting its hourly rate and mileage rate, no later than ten (10) days from the date of service of this Order.


4. The request of Dad Bod Moving LLC for an extension of time, *nunc pro tunc*, to come into compliance with Commission rules and regulations is granted.

5. The extension of time for Dad Bod Moving LLC to come into compliance with Commission rules and regulations shall be effective though April 20, 2022.

6. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



  
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Florence P. Belser, Vice Chair  
Public Service Commission of  
South Carolina